

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

REGENERON PHARMACEUTICALS,
INC.,

Plaintiff,

v.

GENENTECH, INC.,

Defendant.

Civil Action No. 10-CV-08779

NOTICE OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), and pursuant to the stipulated Order entered by the Court on April 11, 2011 in which Plaintiff Regeneron Pharmaceuticals, Inc. ("Regeneron") and Defendant Genentech, Inc. ("Genentech") agreed that Regeneron will voluntarily dismiss its complaint in the above-captioned case in favor of proceeding with its complaint in Civil Action No. 11-CV-01156 and Genentech will file an answer to the complaint in Civil Action No. 11-CV-01156 and will not seek to transfer that case to another judicial district or move to dismiss that complaint under Rule 12(b) of the Federal Rules of Civil Procedure, Regeneron voluntarily dismisses the above-captioned case without prejudice.

Dated: April 18, 2011

Respectfully submitted,

By: /s/ Amir Naini

FITZPATRICK, CELLA, HARPER & SCINTO
Scott K. Reed (SR 5803)
Brian V. Slater (BS 7914)
Gregory B. Sephton (GS 6416)
1290 Avenue of the Americas
New York, NY 10104
Tel: 212-218-2100
Fax: 212-218-2200
sreed@fchs.com; bslater@fchs.com;
gsephton@fchs.com

IRELL & MANELLA LLP
Morgan Chu
Jason G. Sheasby
Keith A. Orso
Amir Naini
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067-4276
Telephone: (310) 277-1010
Facsimile: (310) 203-7199
mchu@irell.com; jsheasby@irell.com;
korso@irell.com; anaini@irell.com

*Attorneys for Plaintiff
Regeneron Pharmaceuticals, Inc.*